

COMMISSIONER MEETINGS

All meetings take place in the Commissioners Conference Room (3107)
located in the Stillwater Building @ 316 North 26th Street (3rd Floor)
and are open to the public unless otherwise noted

MONDAY - March 1, 2021

MEETING UPDATE

In response to recent public health concerns surrounding COVID-19, Board of County Commissioner meetings will be held in a different format. Meetings may include virtual video conferencing to comply with social distancing guidelines.

In an effort to honor your right to participate and allow for public comment we have set up a conference call line.
Please dial (406) 256-2724 Conference ID 277 749 960#

The public may comment during the specific public comment periods listed on the agenda. Please have your phone set to "mute" until the public comment period is open.

If you have questions please contact the B.O.C.C. office at (406) 256-2701 or the Clerk and Recorder at (406) 256-2787.

8:15 Calendar

8:30 Department Meetings

1. Department Head Meeting - All Departments
2. Human Resources
3. Finance
4. Legal/Litigation

2:00 COMMISSIONERS DISCUSSION

DEPARTMENTS

1. Finance- James Matteson- Purchasing Updates
2. Finance - Kevan Bryan - Budget Transfer Request-PILT
3. County Attorney - Jeana Lervick - Review of First Refusal Agreement regarding Miller Building.

COMMISSIONERS

1. Commissioner Board Reports
Legislative Issues

PUBLIC COMMENTS ON COUNTY BUSINESS

TUESDAY – March 2, 2021

9:00 Agenda Setting

9:30 COMMISSIONERS BOARD MEETING

B.O.C.C Monday Discussion

1.

Meeting Date: 03/01/2021

Title: Purchasing Updates

Submitted For: James Matteson, Purchasing Agent

Submitted By: James Matteson, Purchasing Agent

TOPIC:

Finance- James Matteson- Purchasing Updates

BACKGROUND:

Purchasing Updates on upcoming Agenda Items and pending projects.

Bids/RFP's Due:

MetraPark Cold Storage Building- Bids opened & acknowledged on BOCC meeting January Regular 12th.

Committee Recommendation & Commissioner Approval next

I.T. Cyber Security RFP - Proposals opened and acknowledged on BOCC January Regular 26th.

Committee Recommendation Due*

MetraPark Alcohol Concessions

Mandatory Pre-Submittal meeting and walk-through held on February 18th

Selection Committee appointments

Proposals due March 15th, 2021

Open & Acknowledged March 16th, 2021 BOCC Regular

MetraPark Barn Abatement

Bids received February 23rd

DEQ

Selection Committee appointment & Bids to be reviewed

MetraPark

Contract with Kinetic Marketing - March 2nd BOCC Regular

Sheriff's Office/YCDF - Interior Floor Concrete Polish/Seal

BOCC approval to release March 2nd

Bids Due March 22nd, 2021

Open & Acknowledge March 23rd, 2021

Courthouse Lobby Security

BOCC approval to release - March 2nd, 2021

Bids Due March 15th, 2021

Open & Acknowledged March 16th, 2021

Sheriffs Office - RFP Commissary Services
Draft completed - Final Review in progress
Tentative Release date of March 16th, 2021
Tentative Due date April 26th, 2021

Facilities- Youth Services
Contract with Midland Mechanical for water heater replacement
Draft contract completed - Review in progress

Facilities - Courthouse
Contract with ATS- HVAC Digital Controls for 3rd - 5th - 8th Floors
Draft contract completed - Review in progress

RECOMMENDED ACTION:

N/A

B.O.C.C Monday Discussion

2.

Meeting Date: 03/01/2021

Title: Budget Transfer Request-PILT

Submitted For: Kevan Bryan, Finance Director

Submitted By: Kevan Bryan, Finance Director

TOPIC:

Finance - Kevan Bryan - Budget Transfer Request-PILT

BACKGROUND:

Per BOCC verbal instruction on 2/22/21, this is a \$50,000 budget transfer request out of PILT to fund the Kinetic contract on the BOCC agenda to approve on 3/2/21. This amendment must be open for public input at two meetings - 3/1/21, and 3/2/21, then formally approved by the BOCC.

RECOMMENDED ACTION:

Discussion in advance of formal vote on 3/2/21.

Attachments

PILT Budget Transfer-Metra

Yellowstone County



FINANCE
(406) 256-2718
(406) 254-7929 (FAX)

P.O. Box 35003
Billings, MT 59107-5003

February 23, 2021

Board of Yellowstone County Commissioners
P.O. Box 35000
Billings, MT 59107

Dear Board Members:

Please accept this letter as a written confirmation of our department's request to make a budget transfer within the PILT Fund.

Your Policy #18-121 in Section N gives my department the authority to move up to \$25,000 within a fund. This has been routinely performed over the years where unexpended funds are projected for that fund. These are then recapped both at the mid-year budget review and the end of year in a resolution for Board approval. This request, as you initiated yesterday exceeds that amount.

This letter is intended to seek formal approval to move \$50,000.00 of budgeted expenditure authority from the PILT Contingency account (2900.000.280.411800.850). This authority will be directed to the PILT Contract Services account (2900.000.280.411800.397) for covering a contract with Kinetic for services relating to Metra and the solicitation of public input on the possible master plan concept. No funds will be used as advocacy, rather this will be for developing methods of gathering feedback on possible plan options and increasing public participation in the process of plan development.

As stated above, this change will be listed with other transfers and adjustments given to the Board at the end of FY21.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Kevan Bryan".

Kevan Bryan
Finance & Budget Director

B.O.C.C Monday Discussion

3.

Meeting Date: 03/01/2021

Title: First Refusal Agreement

Submitted By: Jeana Lervick, Chief Deputy Attorney Civil Division

TOPIC:

County Attorney - Jeana Lervick - Review of First Refusal Agreement regarding Miller Building.

BACKGROUND:

At the request of the Board, legal and finance created an agreement proposal establishing a relationship with the seller of the Miller Building. Attached is the proposed document.

RECOMMENDED ACTION:

Discussion.

Attachments

Miller Building MOU

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is made and entered into this ____ day of _____, 2021, by and between Yellowstone County ("County"), 217 N. 27th Street, Billings, Montana 59101 and Miller Trois, LLC ("Seller") collectively ("the Parties").

It is the intent of the Parties to establish a relationship whereby the County may purchase seller's property at 301 N. 29th Street, Billings, Montana (a/k/a 2825 3rd Avenue North, Billings, Montana 59101) referenced by Tax Code A00264 ("Miller Building" or "Property"). The Property is currently listed for sale the County is interested in acquiring property for the purpose of conducting the business of the County. The purpose of the MOU is to establish an understanding between the County and Seller to establish a first right of refusal for the County to purchase the Miller Building, subject to the terms and conditions below.

The following conditions will be in effect during the term of this MOU:

It is agreed by the Parties that the County shall have the first right of refusal to purchase the Miller Building, effective immediately, and the Parties further agree that Seller will remove the property from the sales market and shall not entertain other offers for purchase of the Property during the term of this MOU.

The Parties agree that, subject to the above, the County shall make an offer to Seller to purchase the Property in the amount of \$4,500,000 (four million, five hundred thousand dollars) ("Purchase Price"), pending the following:

- The County shall have conducted, at its own expense, a property appraisal by a disinterested certified general real estate appraiser ("Appraisal"); and,
- The County shall have conducted, at its own expense, a property inspection to determine the presence of any issues with the Property including, but not limited to, the presence of asbestos and/or lead paint.

The Parties further agree that, pursuant to Montana Code Annotated Sec. 7-8-2520, if the value of the Property is appraised at an amount below the Purchase Price, the County's offer to Seller to purchase the Property shall be in the amount of the value at which the Property was appraised, subject to the above.

The County agrees that in consideration for the above, it shall provide to Seller a one-time earnest payment of \$33,750 (thirty-three thousand, seven hundred and fifty dollars). This consideration shall demonstrate the County's interest in the Miller Building and shall be non-refundable. However, should the purchase of the Miller Building by the County proceed to closing, this consideration shall be deducted from the final purchase price of the Property.

This MOU shall be effective immediately upon execution and shall be for the period of time up to and including July 1, 2021. It may be extended upon agreement of the Parties.

Seller

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Donald J. Jones, Chairman

Denis Pitman, Member

John Ostlund, Member

ATTEST:

Jeff Martin, Clerk and Recorder

B.O.C.C Monday Discussion

1.

Meeting Date: 03/01/2021

Title: Commissioner Board Reports

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Commissioner Board Reports

BACKGROUND:

N/A

RECOMMENDED ACTION:

Discuss.

B.O.C.C Monday Discussion

Meeting Date: 03/01/2021

Title:

Submitted By: Teri Reitz, Board Clerk

TOPIC:

Legislative Issues

BACKGROUND:

N/A

RECOMMENDED ACTION:

N/A
